

Fire Safety Code Board

Of Appeal & Review

Minutes of October 15, 2009 hearing

A subcommittee of the Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Thursday, October 15, 2009 at 9:30 A.M. Present were Acting Chairman Jasparro and Commissioners Filippi and Dias. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #060964: Attorney Jonathan Bell and Mr. John Palermo, for the property located at 636 Centerville Road in Warwick. (Tennis Rhode Island). ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Dias, to recommend the following relief. The Applicant is granted a time variance of thirty days from the date of the decision in which to present a plan of action to the Warwick Fire Marshal's office for the installation of a municipal fire alarm system in this facility, and an additional 120 days for the implementation of that plan. The Warwick Fire Marshal's office is granted the authority to extend the above deadline for good faith efforts being made by the Applicant. The Applicant is directed to maintain and test the standpipe located on the grounds at the direction and to the

satisfaction of the Warwick Fire Marshal's office. The Applicant is directed to have the emergency lights and exit signs tested and maintained, at the direction and to the satisfaction of the Warwick Fire Marshal's office. Finally, the Applicant is granted a variance not to sprinkle this facility, based upon the Applicant's agreement to install a municipally connected fire alarm system and his agreement to limit the occupancy of this facility to one hundred (100) people. If the Applicant wishes, on occasion, to increase the occupancy to over 100 people for an event, he must first consult the Warwick Fire Marshal's office for approval.

APPEAL #070015: East Natick Veterans Association, for the property located at 17 Baker Street in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to recommend that the Applicant be granted a variance, based on structural hardship, from the provisions of section 7.1.5.3, for the height of the basement egress from the bocce area. This variance is based on limited occupancy and the Applicant's testimony that he will paint the header to alert the occupants of the headroom issue.

APPEAL #060631: Mr. Victor Breault, for the property located at 441 West Shore Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Dias, to recommend the following. As to the dead bolt on the rear door of the vacant Unit 457 in this mercantile

plaza, the Applicant is directed to correct this deficiency if and when unit 457 is re-tenanted. The subcommittee recommends a variance, based on structural hardship, to allow the stairway in unit 455 to remain in its current configuration of 28 inches wide. There was no objection by the Warwick Fire Marshal's office.

APPEAL #060243, 060610, 060612: Pilgrim Court Condo Association, for the property located at 110 Pilgrim Parkway, 120 Pilgrim Parkway and 130 Pilgrim Parkway in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to recommend to the full Board that the Applicant be granted a time variance of thirty (30) days to present a plan of action to the Warwick Fire Marshal's office for the correction of item #5 of the February 1, 2006 report which states that “the buildings require protection of the vertical openings”. The Applicant is granted an additional 120 days in which to implement that plan. The Warwick Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts being made by the Applicant.

APPEAL #060647, 090092, 090093: Mr. Todd David, for the property located at 325 West Shore Road in Warwick (Buildings A, B and C). Assistant Deputy State Fire Marshal Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Dias, to recommend that the Applicant

be granted a time variance of thirty days in which to install a sprinkler head over the cited boiler and to repair the corridor penetrations in Building C. A variance is granted from the provisions of section 31.2.4.4 for any units in Buildings A and B with a single means of egress, based on existing conditions and structural hardship, and considering that there is a municipal fire alarm system in place. There was no objection from the Warwick Fire Marshal's office.

APPEAL #060836: Mr. Robert Martin, for the property located at 241 Lincoln Avenue, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to direct the Applicant to provide sprinkler heads in the spray booth at the direction and to the satisfaction of the Warwick Fire Marshal's office. The Applicant is granted a time variance of thirty days to submit plans for the above correction to the Warwick Fire Marshal's office and an additional 120 days to implement those plans, with authority given to the Warwick Fire Marshal to extend the above deadlines for good faith efforts being made by the Applicant.

APPEAL #060772 and 090196 through 090218: Property Manager Gina Montinaro, for the twenty-four (24) apartments and one (1) club house known as the Royal Crest Apartments on Cedar Pond Drive in Warwick. ADSFM Peter Marietta appeared for the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by

Commissioner Filippi, to grant the applicant a time variance of ninety (90) days in which to provide plans to the Warwick Fire Marshal's office for the installation of a compliant fire alarm system, CO detection, emergency lights , exit signage and protection of the furnace. The Applicant is granted an additional 120 days in which to implement the plan of action, with authority given to the Warwick Fire Marshal to extend the above timelines for good faith efforts on the part of the Applicant. Any deficiencies that remain in the club house, which is now vacant, must be corrected prior to re-occupancy.

APPEAL #070068: Ocean Crest Condominiums, for the property located at 4100 Post Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Filippi made a motion, seconded by Commissioner Dias, to grant the Applicant a time variance of thirty days to submit plans to the Warwick Fire Marshal's office for the correction of the penetrations into the cited common attic space, for the replacement of the cited shared egress doors with approved solid core doors and for the correction of the single means of egress of the four units located on the second story, if possible. The Applicant is granted an additional 120 days for the implementation of those plans, with the Warwick Fire Marshal's office being granted the authority to extend the above deadlines for good faith efforts being shown by the Applicant.

APPEAL #070026: Mr. Anthony DiPippo, for the property located at 703 Warwick Avenue, Warwick. ADSFM Peter Marietti appeared for

the Warwick Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of 120 days in which to install a compliant fire alarm system and a key box in this facility, at the direction and to the satisfaction of the Warwick Fire Marshal's office. The Warwick Fire Marshal is granted the authority to extend the above deadline for good faith efforts being shown by the Applicant. There was no objection by the Warwick Fire Marshal.

Respectfully submitted,

Carol Marsella